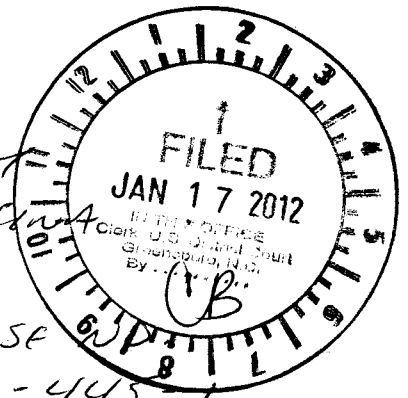


UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF NORTH CAROLINA



UNITED STATES OF AMERICA, *
RESPONDENT

CRIM. CASE
1:03-cr-445-1

VS.

*

CIVIL CASE NO.

MAJOR BOYD WHITLEY, *
MOVANT

MEMORANDUM IN SUPPORT OF
MOVANT'S 28 U.S.C. § 2255 MOTION

COMES NOW MAJOR BOYD WHITLEY, HEREIN AFTER
"MOVANT", IN PRO-SE, AND RESPECTFULLY OFFERS THIS,
MEMORANDUM IN SUPPORT OF HIS 2255 MOTION.

INTRODUCTION

THIS IS A COLLATERAL ATTACK OF A FEDERAL CON-
VICTION. MOVANT WAS CONVICTED FOR VIOLATING 18 U.S.C.
§ 922(g)(1) FELONY IN POSSESSION OF FIREARM.

JURISDICTION

A 2255 CHALLENGE TO AN ILLEGAL SENTENCE CANNOT
BE WAIVED; ONE WHO IS ACTUAL INNOCENT OF CRIMINAL
CRIMINAL MAY ALWAYS CHALLENGE THE ILLEGAL SENT-
ENCE, SEE U.S. V. MAYBECK, 23 F.3d 888 (4th Cir 1994).

STATEMENT OF FACTS

MOVANT WAS INDICTED FOR VIOLATION UNDER 18 U.S.C. § 922 (g)(1), FELON IN POSSESSION OF A FIRE ARM.

THE PROBATION OFFICER APPLIED CHAPTER FOUR ENHANCEMENTS AND HELD MOVANT TO FIT THE CRITERIA OF ENHANCED PENALTIES PROVIDED BY 18 USC 924 (e), ARMED CAREER CRIMINAL ACT, RELYING UPON (2) RELATED BURGLARY CONVICTIONS THAT THE STATE COURT CONSOLIDATED FOR SENTENCING WHICH IS IDENTIFIED IN THE PSR REPORT PAGE 6 PARAGRAPH 21. SEE (ATTACHED) (EXHIBIT A)

IN THIS CASE THE ONLY OBJECTIONS TO THE PSR REPORT WERE MADE BY MOVANT. SEE (TRANSCRIPT OF SENTENCING HEARING AT 7-17)

NO OBJECTIONS TO THE PSR WERE MADE BY APPOINTED COUNSEL. THE SENTENCING COURT OVERRULED MOVANT'S OBJECTIONS AND ON MAY 28, 2004 MOVANT WAS SENTENCED TO A TOTAL OF 180 MONTHS.

APPOINTED COUNSEL'S FAILURE TO OBJECT TO THE (2) RELATED BURGLARY CONVICTIONS IN THE PSR'S CRIMINAL HISTORY CALCULATION DENIED MOVANT THE EFFECTIVE ASSISTANCE OF COUNSEL.

MINDFUL OF THE LIBERAL RULES APPLIED TO PROSE PLEADINGS MOVANT RESPECTFULLY ARTICULATES HIS BELIEF THAT HE HAS SUFFERED THE DENIAL OF EFFECTIVE ASSISTANCE OF COUNSEL.

ARGUMENT

- 1), APPOINTED COUNSEL WAS INEFFECTIVE FOR FAILING TO OBJECT TO THE (ACCA) ENHANCEMENT RELYING ON (2) RELATED STATE BURGLARY PRIOR CONVICTIONS.

APPOINTED COUNSEL ERRED IN FAILING TO OBJECT TO THE PSR RELIANCE ON (2) RELATED STATE BURGLARY PRIOR CONVICTIONS.

MOVANT'S CRIMINAL HISTORY WAS IMPROPERLY COMPUTED UNDER THE U.S. SENTENCING GUIDELINES MANUAL § 4A1.2 COMMENTARY APPLICATION NOTE(3), BECAUSE THE (2) PRIOR BURGLARY CONVICTIONS WERE "RELATED" FOR SENTENCING PURPOSES. SEE (ATTACHED EXHIBIT B) (TRANSCRIPT OF PCGA, QUESTION # 14); SEE ALSO UNITED STATES V. RIVERS, 929 F.2d 136, 139-40 (4th CIR 1991) (UNLESS THERE ARE INTERVENING ARRESTS, CASES ARE RELATED IF THEY RESULTED FROM OFFENSES THAT (1) OCCURRED ON THE SAME OCCASION (2) WERE PART OF A COMMON SCHEME OR PLAN, OR (3) WERE CONSOLIDATED FOR TRIAL OR SENTENCING).

APPOINTED COUNSEL'S REPRESENTATION FELL BELOW THE "RANGE OF COMPETENCE DEMANDED FOR ATTORNEYS" WHEN HE FAILED TO CHALLENGE THE PSR'S COMPUTATION OF MOVANT'S CRIMINAL HISTORY PURSUANT TO THE U.S. SENTENCING GUIDELINES MANUAL § 4A1.2 COMMENTARY, APPLICATION NOTE 3. PRIOR SENTENCES IMPOSED IN RELATED CASES ARE TO BE TREATED AS ONE SENTENCE FOR PURPOSES OF CRIMINAL HISTORY, U.S.S.G.

§ 4A1.2 (a) (2).

HERE, WHERE THE (2) PRIOR BURGLARIES WERE CONSOLIDATED FOR SENTENCING, APPOINTED COUNSEL SHOULD HAVE OBJECTED THAT MOVANT'S PRIORS ARE RELATED CASES AND ARE TO BE TREATED AS ONE SENTENCE FOR PURPOSES OF CRIMINAL HISTORY. IN THE WORDS OF JUDGE GASTERBROOK, AN OBJECTION ON THIS GROUND WAS CLOSE TO A "DADS - BANG WINNER". PAGE V. U.S., 884 F.2d 300, 301 (7th CIR 1989).

THE FAILURE TO OBJECT TO THE CALCULATION ERROR WAS A CLEAR LAPSE IN REPRESENTATION. SEE U.S. V. DAY, 969 F.2d 39, 43 (3RD CIR 1992) (BECAUSE THE SENTENCING GUIDELINES HAVE BECOME A CRITICAL ... FACET OF FEDERAL CRIMINAL PROCEEDINGS ... FAMILIARITY WITH THE STRUCTURE AND BASIC CONTENT OF THE GUIDELINES ... HAS BECOME A NECESSITY FOR COUNSEL WHO SEEK TO GIVE EFFECTIVE REPRESENTATION). SEE ALSO JACKSON V. LEONARDO, 162 F.3d 81, 86 (2ND CIR 1998) (WHERE THERE IS NO PLAUSIBLE EXPLANATION FOR COUNSEL'S ERROR, NO HEARING IS REQUIRED TO DETERMINE THAT COUNSEL'S REPRESENTATION WAS DEFICIENT).

MOVANT WAS PREJUDICED BY TRIAL COUNSEL'S LAPSE IN REPRESENTATION BECAUSE HE WOULD HAVE BEEN SENTENCED TO A PERIOD OF INCARCERATION LESS THAN 180 MONTHS AND WELL BELOW THE MANDATORY MINIMUM OF (ACCA). THEREFORE, MOVANT WAS PREJUDICED BY HIS ATTORNEY'S FAILURE TO OBJECT TO THE SENTENCING CALCULATION ERROR. SEE GLOUCE V. U.S., 531 U.S. 198, 203 (2001) (HOLDING THAT "ANY INCREASE IN THE AMOUNT

OF ACTUAL JAIL TIME" DUE TO SENTENCING GUIDELINES
ERROR, CONSTITUTES PREJUDICE UNDER THE STICKLAND
DOCTRINE).

FOR THE REASONS STATED ABOVE, THIS COURT SHOULD
HOLD THAT COUNSEL'S FAILURE TO OBJECT TO A SENTENCING
CALCULATION ERROR THAT RESULTED IN AN INCREASE IN
MOVANT'S PERIOD OF INCARCERATION CONSTITUTES IN-
EFFECTIVE ASSISTANCE OF COUNSEL.

DATED ON THIS 11th DAY OF ^{JANUARY} ~~DECEMBER~~, 2012.

RESPECTFULLY SUBMITTED
BY MWA Whitley
MAJOR BOYD WHITLEY
22096-057
U.S. PENITENTIARY
P.O. BOX 1000
LEWISBURG, PA 17837

MAJOR BOYD WHITLEY

PAGE 6

PART B. DEFENDANT'S CRIMINAL HISTORY

Juvenile Adjudications

20. None known.

Adult Criminal Convictions

<u>Date of Arrest</u>	<u>Conviction/Court</u>	<u>Date Sentence Imposed/Disposition</u>	<u>Guideline</u>	<u>Pnt</u>
21. 10/28/94 (Age 14)	* 1) Felony Second Degree Burglary, Docket No. 94CRS 14067,	01/10/95: Consolidated for judgement, 12 to 15 months imprisonment, suspended, 3 years supervised probation, pay \$350.00 fine and \$90.00 cost of court.	4A1.1(a) 4A1.2(d)(1)	3
<i>All (4) was Consolidated on 1-10-95</i>	* 2) Felony Larceny, Docket No. 94CRS 14067,	07/12/95: Probation violation. Probation modified and extended until January 9, 1999, complete 6 months intensive probation, 72 hours of community service, and complete 180 days electronic monitoring.		
	* 3) Felony Second Degree Burglary, Docket No. 94CRS 14068,	08/14/95: Probation revoked. Serve 12 to 15 months imprisonment, credit for 15 days imprisonment.		
	* 4) Felony Larceny, Docket No. 94CRS 14069, Cabarrus County Superior Court, Concord, NC	09/28/96: Discharged.		

Defendant Whitley was initially charged by a juvenile petition (94 J 31). On October 19, 1994, the court ordered that Defendant Whitley be held in the Gaston Regional Detention Center, Gastonia, NC, until his hearing, which was set for October 28, 1994.

STATE OF NORTH CAROLINA

Columbus

County

94 CRS 14067

94 CRS 14068

94 CRS 14069

In The General Court Of Justice
District ☐ Superior Court Division

STATE VERSUS

Name Of Defendant

Major Boyd Whitlock

DOB

6-23-80

Age

14

Highest Level Of Education Completed

7th

TRANSCRIPT OF PLEA

G.S. 15A-1022

The defendant, having offered a plea of Guilty and being first duly sworn, makes the following answers to the questions set out below:

1. Are you able to hear and understand me? Yes
2. Do you understand that you have the right to remain silent and that any statement you make may be used against you? Yes
3. At what grade level can you read and write? 7th
4. (a) Are you now under the influence of alcohol, drugs, narcotics, medicines, pills, or any other intoxicants?
(b) When was the last time you used or consumed any such substance? No
5. Have the charges been explained to you by your lawyer, and do you understand the nature of the charges, and do you understand every element of each charge? Yes
6. (a) Have you and your attorney discussed the possible defenses, if any, to the charges?
(b) Are you satisfied with your lawyer's legal services? Yes
7. (a) Do you understand that you have the right to plead not guilty and be tried by a jury?
(b) Do you understand that at such trial you have the right to confront and to cross examine witnesses against you?
(c) Do you understand that by your plea(s) you give up these and your other constitutional rights relating to a trial by jury? Yes
8. Do you understand that, if you are not a citizen of the United States of America your plea(s) of guilty or no contest may result in deportation, the exclusion from admission to this country, or the denial of naturalization under federal law? Yes
9. (If applicable) Do you understand that upon conviction of a felony that you automatically forfeit any licensing privileges as defined by G.S. 15A-1331A for the full term?
☐ (FSA cases only occurring on or after May 1, 1994) of the maximum sentence of imprisonment imposed at the time of conviction if: (1) you are offered a suspended sentence on condition that you accept probation and you refuse probation, or (2) your probation is revoked or suspended and the Court makes findings that you failed to make reasonable efforts to comply with the conditions of probation.
☐ (Structured Sentencing cases committed on or after October 1, 1994) of the period you are placed on probation if: (1) you are offered a suspended sentence on condition you accept probation and you refuse probation, or (2) your probation is revoked or suspended. G.S. 15A-1331A(b). Yes
10. Do you understand that you are pleading (guilty) (no contest) to the following charges, which carry the total punishments listed below: Yes

Plea (G=Guilty NC=No Contest)	Offense(s)	G.S. No.	F/M	Class	Maximum Punishment
G	2nd Deg Burg	14-51	F	G	16 months
G	(7) Larceny	14-7262	F	H	8 months
G	2nd Deg Burg	14-51	F	G	16 months
G	7 Larceny	14-7262	F	H	8 months
TOTAL MAXIMUM PUNISHMENT		48 mos			
MANDATORY MINIMUM FINES & SENTENCES (If Any)					

APP-CR-200 Rev 5/04 (Page 2) (Over)

AOC-CR-300, Rev. 5/94

(Over)

*Shows Consolidation **

Questions	Answers
11. Do you now personally plead (guilty) (no contest)?	<u>Yes</u>
12. (a) (If applicable) Are you in fact guilty?	<u>Yes</u>
(b) (If applicable) Do you understand that upon your plea of no contest you will be treated as being guilty whether or not you admit your guilt?	<u>X</u>
(c) (If applicable) (Alford plea)	
(1) Do you now consider it to be in your best interest to plead guilty?	<u>Yes</u>
(2) Do you understand that upon your "Alford Plea" you will be treated as being guilty whether or not you admit that you are in fact guilty?	<u>X</u>
13. Have you agreed to plead as part of a plea arrangement? Before you answer, I advise you that the Courts have approved plea negotiating, and if there is such, you may advise me truthfully without fear of incurring my disapproval?	<u>Yes</u>
14. (If applicable) The District Attorney and your lawyer have informed the Court that these are all the terms and conditions of your plea: <u>That upon my plea all cases will be consolidated for judgement and I will receive a suspended sentence as provided by structured sentencing act.</u>	<u>Yes</u>
(a) Is this correct as being your full plea arrangement?	<u>Yes</u>
(b) Do you now personally accept this arrangement?	<u>Yes</u>
15. (Other than the plea arrangement between you and the prosecutor) has anyone made any promises or threatened you in any way to cause you to enter this plea against your wishes?	<u>No</u>
16. Do you enter this plea of your own free will, fully understanding what you are doing?	<u>Yes</u>
17. Do you have any questions about what has just been said to you or about anything else connected with your case?	<u>No</u>
I have read or have heard all of these questions and understand them. The answers shown are the ones I gave in open court and they are true and accurate. Neither my lawyer nor anyone else has told me to give false answers in order to have the Court accept my plea in this case. The conditions of the plea as stated above, if any, are accurate.	
<u>True</u>	
SWORN AND SUBSCRIBED TO BEFORE ME	
Date <u>1-10-95</u> Signature <u>[Signature]</u>	Date <u>1-10-95</u> Signature Of Defendant <u>[Signature]</u>
<input checked="" type="checkbox"/> Deputy CSC <input type="checkbox"/> Assistant CSC <input type="checkbox"/> Clerk Of Superior Court	Name Of Defendant (Type Or Print) <u>Michael Walker (Father)</u>
CERTIFICATION BY LAWYER FOR DEFENDANT	
As lawyer for the defendant named above, I hereby certify that the conditions stated above, if any, upon which the defendant's plea was entered are correct and they are agreed to by the defendant and myself. I further certify that I have fully explained to the defendant the nature and elements of the charge(s) to which he is pleading.	
Date <u>1-10-95</u> Signature Of Lawyer For Defendant <u>[Signature]</u>	
CERTIFICATION BY DISTRICT ATTORNEY	
As District Attorney for this Prosecutorial District, I hereby certify that the conditions stated above, if any, are the terms agreed to by the defendant and his/her lawyer and myself for the entry of the plea by the defendant to the charge(s) in this case.	
Date <u>1-10-95</u> Signature Of District Attorney <u>[Signature]</u>	
PLEA ADJUDICATION	
Upon consideration of the record proper, evidence presented, answers of defendant, and statements of the lawyer for the defendant and the District Attorney, the undersigned finds:	
1. That there is a factual basis for the entry of the plea. 2. That the defendant is satisfied with his/her lawyer. 3. That the defendant is competent to stand trial and that the plea is the informed choice of the defendant and is made freely, voluntarily and understandingly.	
The defendant's plea is hereby accepted by the Court and is ordered recorded.	
Date <u>1-10-95</u> Signature Of Presiding Judge <u>[Signature]</u>	

AOC-CA-300, Side Two
Rev. 5/84

Shows no prior record

246-33-23-76

STATE OF NORTH CAROLINA			File No.	
Catawba County Concord			94CRS 14067, 14068, 14069	
NOTE: (This form is to be used for (1) felony offenses, and (2) misdemeanor offenses, which are exempted from the provisions of the General Statutes of North Carolina. Use AOC-CR-310 for DWI offenses.)			Seat Of Court In The General Court Of Justice Superior Court Division	
STATE VERSUS			JUDGMENT SUSPENDING SENTENCE - FELONY	
Defendant Major Boyd Whitley			<input type="checkbox"/> IMPOSING AN INTERMEDIATE PUNISHMENT <input checked="" type="checkbox"/> IMPOSING A COMMUNITY PUNISHMENT (STRUCTURED SENTENCING)	
Race Black	Sex Male	DOB 6-23-80	Q.S. 15A-1341, 1342, 1343, 1343.2, 1246	
Attorney For State Darrin Jordan		Def. Found <input type="checkbox"/> Not Indigent	Def. Waived <input type="checkbox"/> Attorney	Attorney For Defendant Jim Johnson
The defendant <input checked="" type="checkbox"/> pled guilty to <input type="checkbox"/> was found guilty by a jury of: <input type="checkbox"/> pled no contest to:				
File No(s) And Offense(s)		Date Of Offense	O.S. No.	F.M. CL
94CRS 14067 - 2nd Degree Burglary Larceny		10-18-94	14-51 14-72(b)(2)	F G F H
94CRS 14068 - 2nd Degree Burglary		10-16-94	14-51	F G
94CRS 14069 - Larceny		10-16-94	14-72(b)(2)	F H
The Court:				
<input checked="" type="checkbox"/> 1. has determined, pursuant to G.S. 15A-1340.14, the prior record points of the defendant to be <u>0</u> * PRIOR RECORD LEVEL: <input checked="" type="checkbox"/> I <input type="checkbox"/> III <input type="checkbox"/> V				
<input type="checkbox"/> 2. makes no prior record level finding because none is required. <input type="checkbox"/> II <input type="checkbox"/> IV <input type="checkbox"/> VI				
The Court:				
<input checked="" type="checkbox"/> 1. makes no written findings because the prison term imposed is within the presumptive range of sentences authorized under G.S. 15A-1340.17(c).				
<input type="checkbox"/> 2. makes the Findings of Aggravating and Mitigating Factors set forth on the attached AOC-CR-605.				
<input type="checkbox"/> 3. makes the Findings of Extraordinary Mitigation set forth on the attached AOC-CR-606.				
<input type="checkbox"/> 4. finds the defendant has provided substantial assistance pursuant to G.S. 90-95(h)(5).				
<input type="checkbox"/> 5. finds enhanced punishment from a Class 1 misdemeanor to a Class 1 felony. <input type="checkbox"/> G.S. 90-95(e)(3) (drugs); <input type="checkbox"/> G.S. 14-3(c) (race)				
<input type="checkbox"/> 6. imposes the punishment pursuant to a plea arrangement as to sentence under Article 58 of G.S. Chapter 15A.				
The Court, having considered evidence, arguments of counsel and statement of defendant, finds that the defendant's plea was freely, voluntarily, and understandingly entered, and Orders the above offenses be consolidated for judgment and the defendant be imprisoned				
for a minimum term of:		for a maximum term of:		in the custody of the N.C. DOC
12 months		15 months		
The defendant shall be given credit for <u>0</u> days spent in confinement prior to the date of this Judgment as a result of this charge(s). to be applied toward the <input type="checkbox"/> sentence imposed above. <input type="checkbox"/> imprisonment required for special probation below.				
SUSPENSION OF SENTENCE				
With the consent of the defendant and subject to the conditions set out below, the execution of this sentence is suspended and the defendant is placed on <input checked="" type="checkbox"/> supervised <input type="checkbox"/> unsupervised probation for <u>3 years</u> months.				
<input type="checkbox"/> 1. The Court finds that a <input type="checkbox"/> longer <input type="checkbox"/> shorter period of probation is necessary than that which is specified in G.S. 15A-1343.2(d).				
<input type="checkbox"/> 2. The Court delegates to the Division of Adult Probation and Parole in the Department of Correction the authority to impose any of the requirements in G.S. 15A-1343.2(e) if the offender is sentenced to a community punishment, or G.S. 15A-1343.2(f) if the offender is sentenced to an intermediate punishment.				
<input type="checkbox"/> 3. The above period of probation shall begin when the defendant is released from incarceration in the case referred to below.				
<input type="checkbox"/> 4. The above period of probation shall begin at the expiration of the sentence in the case referred to below.				
(NOTE: List case number, date, county and court in which prior sentence imposed.)				
MONETARY CONDITIONS				
The defendant shall pay to the Clerk of Superior Court the "Total Amount Due" shown below, plus the probation supervision fee set by law <input checked="" type="checkbox"/> pursuant to a schedule determined by the probation officer, <input type="checkbox"/> at the rate of \$ <u>20.00</u> per <u>month</u> beginning on <u>2-10-95</u> and continuing on the same day of each <u>month</u> thereafter until paid in full.				
<input checked="" type="checkbox"/> Other: Supervision fee waived; Subject is 14 years old.				
Fine \$ 360.00	Costs \$ 90.00	Restitution*	Attorney's Fee \$	Community Service Fee \$
				Total Amount Due \$ 440.00

* Name(s), address(es), amounts & social security no.(s) of aggrieved party(ies) to receive restitution.

☐ After payment of community service fee and probation supervision fee, all payments received by the Clerk shall first be disbursed and then to the persons entitled to restitution. [G.S. 7A-304(d)]

☐ Upon payment of the "Total Amount Due", the probation officer may transfer the defendant to unsupervised probation.

Material opposite unmarked squares is to be disregarded as surplusage.

AOC-CR-603, New 10/94

(Over)

1. **Introduction**
 2. **Background**
 3. **Methodology**
 4. **Results**
 5. **Conclusion**
 6. **References**
 7. **Appendix**
 8. **Index**
 9. **Table of Contents**
 10. **Figure 1**
 11. **Figure 2**
 12. **Figure 3**
 13. **Figure 4**
 14. **Figure 5**
 15. **Figure 6**
 16. **Figure 7**
 17. **Figure 8**
 18. **Figure 9**
 19. **Figure 10**
 20. **Figure 11**
 21. **Figure 12**
 22. **Figure 13**
 23. **Figure 14**
 24. **Figure 15**
 25. **Figure 16**
 26. **Figure 17**
 27. **Figure 18**
 28. **Figure 19**
 29. **Figure 20**
 30. **Figure 21**
 31. **Figure 22**
 32. **Figure 23**
 33. **Figure 24**
 34. **Figure 25**
 35. **Figure 26**
 36. **Figure 27**
 37. **Figure 28**
 38. **Figure 29**
 39. **Figure 30**
 40. **Figure 31**
 41. **Figure 32**
 42. **Figure 33**
 43. **Figure 34**
 44. **Figure 35**
 45. **Figure 36**
 46. **Figure 37**
 47. **Figure 38**
 48. **Figure 39**
 49. **Figure 40**
 50. **Figure 41**
 51. **Figure 42**
 52. **Figure 43**
 53. **Figure 44**
 54. **Figure 45**
 55. **Figure 46**
 56. **Figure 47**
 57. **Figure 48**
 58. **Figure 49**
 59. **Figure 50**
 60. **Figure 51**
 61. **Figure 52**
 62. **Figure 53**
 63. **Figure 54**
 64. **Figure 55**
 65. **Figure 56**
 66. **Figure 57**
 67. **Figure 58**
 68. **Figure 59**
 69. **Figure 60**
 70. **Figure 61**
 71. **Figure 62**
 72. **Figure 63**
 73. **Figure 64**
 74. **Figure 65**
 75. **Figure 66**
 76. **Figure 67**
 77. **Figure 68**
 78. **Figure 69**
 79. **Figure 70**
 80. **Figure 71**
 81. **Figure 72**
 82. **Figure 73**
 83. **Figure 74**
 84. **Figure 75**
 85. **Figure 76**
 86. **Figure 77**
 87. **Figure 78**
 88. **Figure 79**
 89. **Figure 80**
 90. **Figure 81**
 91. **Figure 82**
 92. **Figure 83**
 93. **Figure 84**
 94. **Figure 85**
 95. **Figure 86**
 96. **Figure 87**
 97. **Figure 88**
 98. **Figure 89**
 99. **Figure 90**
 100. **Figure 91**
 101. **Figure 92**
 102. **Figure 93**
 103. **Figure 94**
 104. **Figure 95**
 105. **Figure 96**
 106. **Figure 97**
 107. **Figure 98**
 108. **Figure 99**
 109. **Figure 100**
 110. **Figure 101**
 111. **Figure 102**
 112. **Figure 103**
 113. **Figure 104**
 114. **Figure 105**
 115. **Figure 106**
 116. **Figure 107**
 117. **Figure 108**
 118. **Figure 109**
 119. **Figure 110**
 120. **Figure 111**
 121. **Figure 112**
 122. **Figure 113**
 123. **Figure 114**
 124. **Figure 115**
 125. **Figure 116**
 126. **Figure 117**
 127. **Figure 118**
 128. **Figure 119**
 129. **Figure 120**
 130. **Figure 121**
 131. **Figure 122**
 132. **Figure 123**
 133. **Figure 124**
 134. **Figure 125**
 135. **Figure 126**
 136. **Figure 127**
 137. **Figure 128**
 138. **Figure 129**
 139. **Figure 130**
 140. **Figure 131**
 141. **Figure 132**
 142. **Figure 133**
 143. **Figure 134**
 144. **Figure 135**
 145. **Figure 136**
 146. **Figure 137**
 147. **Figure 138**
 148. **Figure 139**
 149. **Figure 140**
 150. **Figure 141**
 151. **Figure 142**
 152. **Figure 143**
 153. **Figure 144**
 154. **Figure 145**
 155. **Figure 146**
 156. **Figure 147**
 157. **Figure 148**
 158. **Figure 149**
 159. **Figure 150**
 160. **Figure 151**
 161. **Figure 152**
 162. **Figure 153**
 163. **Figure 154**
 164. **Figure 155**
 165. **Figure 156**
 166. **Figure 157**
 167. **Figure 158**
 168. **Figure 159**
 169. **Figure 160**
 170. **Figure 161**
 171. **Figure 162**
 172. **Figure 163**
 173. **Figure 164**
 174. **Figure 165**
 175. **Figure 166**
 176. **Figure 167**
 177. **Figure 168**
 178. **Figure 169**
 179. **Figure 170**
 180. **Figure 171**
 181. **Figure 172**
 182. **Figure 173**
 183. **Figure 174**
 184. **Figure 175**
 185. **Figure 176**
 186. **Figure 177**
 187. **Figure 178**
 188. **Figure 179**
 189. **Figure 180**
 190. **Figure 181**
 191. **Figure 182**
 192. **Figure 183**
 193. **Figure 184**
 194. **Figure 185**
 195. **Figure 186**
 196. **Figure 187**
 197. **Figure 188**
 198. **Figure 189**
 199. **Figure 190**
 200. **Figure 191**
 201. **Figure 192**
 202. **Figure 193**
 203. **Figure 194**
 204. **Figure 195**
 205. **Figure 196**
 206. **Figure 197**
 207. **Figure 198**
 208. **Figure 199**
 209. **Figure 200**
 210. **Figure 201**
 211. **Figure 202**
 212. **Figure 203**
 213. **Figure 204**
 214. **Figure 205**
 215. **Figure 206**
 216. **Figure 207**
 217. **Figure 208**

Précis:

Prisons
The defendant is incarcerated and sentenced to a term of 72 hours in the State Prison for the crime and regulations of the Department of Correction governing the conduct of inmates while imprisoned. The defendant is currently in the State of North Carolina and is 72 hours of the defendant's discharge from the current term of imprisonment.

 $\frac{1}{2} \log 2$

De

- IR**

- ☐

ORDER OF COMMISSIONERS' OFFICE, 1901

- 五

SIGNATURE OF _____

1999

SECRET

1. **EN**

Autos of 1964-1965

Page 40

NO

Date Signed: _____ Signature of Contractor: _____

11-1395 1/2